

Order

Entered: July 20, 2004

Michigan Supreme Court
Lansing, Michigan

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

123091

FREDA ALIBRI,
Plaintiff-Appellant,

v

DETROIT WAYNE COUNTY
STADIUM AUTHORITY,
Defendant-Appellee.

SC: 123091
COA: 228921
Wayne CC: 98-818620-CK

On order of the Court, leave to appeal having been granted, 469 Mich 951 (2003), and the briefs and oral arguments of the parties having been considered by the Court, we REVERSE the judgment of the Court of Appeals, and REINSTATE the Wayne Circuit Court's July 11, 2000, order granting partial summary disposition for plaintiff and dismissing the remaining claims, though on a somewhat different basis.

The defendant represented that all of the west side properties, including plaintiff's, were needed by the stadium project for parking. It was later determined that this was not correct. While there is no indication that the defendant knew of the inaccuracy of its representation, this justifies rescission on the ground of innocent misrepresentation. See generally *United States Fidelity & Guaranty Co v Black*, 412 Mich 99, 113-121 (1981).

p0715



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 20, 2004 Maura D. Corrigan Clerk